

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF OHIO  
WESTERN DIVISION

WILLIAM K. FOSTER,	:	NO. 1:13-cv-00418
	:	
Plaintiff,	:	
	:	
v.	:	<b>ORDER</b>
	:	
COMMISSIONER OF	:	
SOCIAL SECURITY,	:	
	:	
Defendant.	:	

This matter is before the Court on the June 23, 2014 Report and Recommendation of Magistrate Judge Stephanie K. Bowman (doc. 17). Proper notice was provided to the parties under 28 U.S.C. § 636(b)(1)(C) and Fed. R. Civ. P. 72(b), including the advice that they would waive further appeal if they failed to file an objection to said Report and Recommendation in a timely manner. See United States v. Walters, 638 F.2d 947, 949-50 (6<sup>th</sup> Cir. 1981).

To date, no objections have been filed and the Court finds no clear error on the face of it . See Advisory Committee Notes to Fed. R. Civ. P. 72; Thomas v. Arn, 474 U.S. 140, 150 (1985) ("It does not appear that Congress intended to require district court review of a magistrate's factual or legal conclusions, under a de novo or any other standard, when neither party objects to those findings."). On the contrary, the Court finds

the Magistrate Judge's Report and Recommendation well-reasoned, thorough and correct. Accordingly, the Court ACCEPTS, ADOPTS and AFFIRMS the Magistrate Judge's Report and Recommendation (doc. 17); REVERSES the decision of the Administrative Law Judge (and, in turn, the Commissioner) that Plaintiff be denied Disability Insurance Benefits (DIB) and Supplemental Security Income (SSI) because it is not supported by substantial evidence in the administrative record; REMANDS this matter (under sentence four of 42 U.S.C. § 405(g)) to the Commissioner for proceedings consistent with this Opinion; and CLOSES this case on the docket.

SO ORDERED.

Dated: July 15, 2014      /s/ S. Arthur Spiegel  
S. Arthur Spiegel  
United States Senior Judge